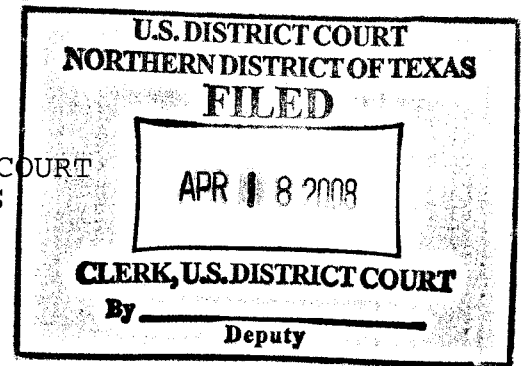


IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION



ELIGAH DARNELL, JR.,
Petitioner,

VS.

DEE ANDERSON, SHERIFF,
TARRANT COUNTY, TEXAS,

Respondent.

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NO. 4:08-CV-180-A

O R D E R

Came on for consideration the above-captioned action wherein Eligah Darnell, Jr. is petitioner and Dee Anderson, Sheriff, Tarrant County, Texas, is respondent. This is a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On March 25, 2008, the United States Magistrate Judge issued his proposed findings, conclusions, and recommendation, and ordered that the parties file objections, if any thereto, by April 15, 2008. Petitioner timely filed a document, which he titled, "Written Objections to Magistrates [sic] Findings, Conclusions and Recommendations."

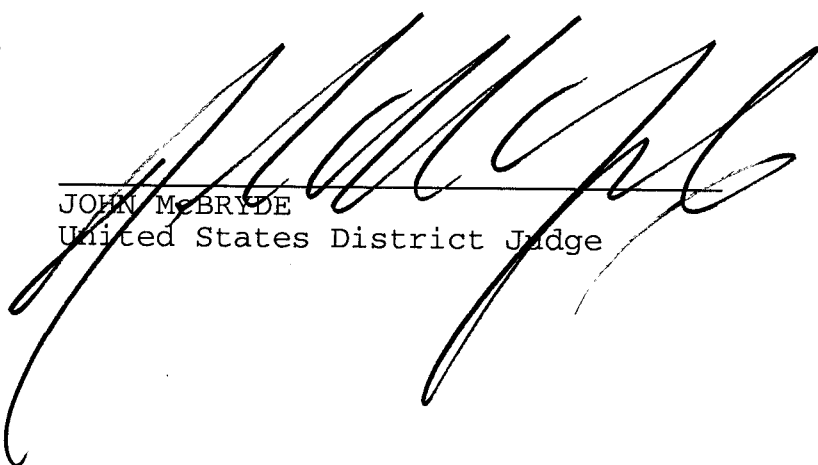
In accordance with 28 U.S.C. § 636(b)(1) and Rule 72 of the Federal Rules of Civil Procedure, the court makes a de novo determination of those portions of the proposed findings or recommendations to which specific objection is made. United States v. Raddatz, 447 U.S. 667 (1980). The court need not consider any nonspecific objections or any frivolous or conclusory objections. Battle v. United States Parole Comm'n, 834 F.2d 419, 421 (5th Cir. 1987).

The Magistrate Judge recommends that the petition be dismissed as successive pursuant to 28 U.S.C. § 2244(b)(1). A second or successive petition must be certified as provided in 28 U.S.C. § 2244(b)(3) by a panel of the appropriate court of appeals. Petitioner has not shown that his petition has been so certified. In his objections, he has not presented any specific objections to the Magistrate Judge's findings and conclusions, or otherwise shown that his petition has been certified as required by § 2244(b)(3).

Therefore,

The court ORDERS that petitioner's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 be, and is hereby, dismissed for want of jurisdiction.

SIGNED April 18, 2008.



JOHN McBRIDE
United States District Judge